

Serial No.: 10/506,363
Examiner: Eunha P. Cherry
Title: OPTICAL SCANNER AND IMAGE FORMING APPARATUS
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REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Editorial revisions have been made in claim 1. The revisions are supported by the original disclosure, for example, page 6, lines 14-19 of the present specification. Claim 5 has been rewritten in independent form to include the limitation of original claims 1 and 4. Claim 6 has been rewritten in independent form to include the limitation of original claims 1 and 4. Claims 5 and 6 were considered allowable in the first action on the merits. No new matter has been introduced. Claims 1-11 remain pending in the application.

Claim Rejections – 35 USC § 102

Claims 1, 4, 7, 8 and 11 are rejected under 35 USC § 102(b) as being anticipated by Atsuumi (US 6,198,563). Applicants respectfully traverse this rejection.

Claim 1 requires a light beam be incident directly on a second reflecting optical element after being reflected from an optical deflector. The rejection relies on the Atsuumi second return mirror 6 as suggesting the first reflecting optical element and relies on the Atsuumi image-forming mirror 7 as suggesting the second reflecting optical element. However, Atsuumi fails to disclose an optical scanner allowing a light beam to be incident directly on a second reflecting optical element after being reflected from an optical deflector, as required by claim 1. As clearly shown in Fig. 2 of Atsuumi, the light reflected from the deflector 4 is first incident on the first return mirror 5, and then incident on the image-forming mirror 7. This is distinct from the present optical scanner of claim 1, which allows the light reflected from the optical deflector to be incident directly on the second reflecting optical element.

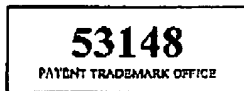
For at least these reasons, claim 1 is patentable over Atsuumi. Claims 4, 7, 8 and 11 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim Rejections – 35 USC § 103

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Claims 2, 3, 9 and 10 are rejected under 35 USC 103(a) as being unpatentable over Atsumi. Applicants respectfully traverse this rejection. Claims 2, 3, 9 and 10 depend ultimately from claim 1 and are patentable over Atsumi for at least the same reasons discussed above regarding claims 1, 4, 7, 8 and 11. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

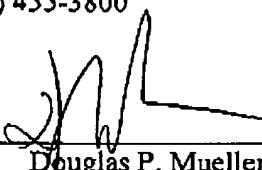
In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.



Respectfully submitted,

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Dated: December 5, 2006

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DPM/cy